

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Geoffrey Lee, et al.

Serial No.: 10/502,495

Art Unit: 1612

Filed: June 24, 2005

Examiner: Maewall, Snigdha

For: *Dermal Application Systems for Aminolevulinic Acid-Derivatives*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PROPOSED AGENDA FOR INTERVIEW**

Sir:

Responsive to the Examiner's request, below is a proposed Agenda for the upcoming telephone interview between the undersigned; the Examiner; and her Supervisor.

1. Discuss prior art cited in Office Action mailed December 15, 2011 in view of the claims
  - a. Discuss WO 95/05813.
  - b. Discuss US 6,280,765 to Gueret.
2. Discuss claims issued in U.S. Patent No. 7,951,295 to Geoffrey Lee, et al.
3. Discuss proposed claim amendments (attached below) or other suggestions by the Examiner and/or his/her Supervisor that narrow the scope of the claims to more clearly distinguish the prior art.

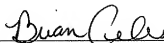
U.S.S.N.

Filed:

**RESPONSE TO RESTRICTION REQUIREMENT**

I look forward to our telephone interview on April 12, 2012 at 10:00 a.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Brian Giles", is written over a horizontal line.

P. Brian Giles, Ph.D., J.D.

Reg. No. 57,896

Date: April 11, 2012

PABST PATENT GROUP LLP

1545 Peachtree Street, NE

Suite 320

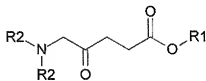
Atlanta, Georgia 30309

(404) 879-2168

(404) 879-2160 (Facsimile)

**Proposed Claims**

1. (Currently Amended) A dermal application system, which is a self-adhesive matrix system, consisting of aminolaevulinic acid (ALA) derivative crystals suspended in a polymer matrix, wherein the polymer matrix consists of polymers from the group consisting of acrylates, silicon polymers, and polyisobutylene, wherein the ALA derivative is an aminolaevulinic acid salt or an aminolaevulinic acid ester or a salt thereof, wherein a substantial amount of the crystals of the ALA derivative have a mean diameter of 20  $\mu\text{m}$  to 200  $\mu\text{m}$ , wherein the ALA ester is a compound of the general formula



wherein R1 is [[an]] a substituted or unsubstituted alkyl group, and each of R2 independently from one another represents a hydrogen atom or [[an]] a substituted or unsubstituted alkyl group.

2. (Previously Presented) Application system according to claim 1, characterised in that the polymer matrix is water-permeable.

3. (Previously Presented) Application system according to claim 1 or 2, characterised in that the polymer matrix is selected from polymers from the group consisting of

- a) acrylates,
- b) silicon polymers and
- c) polyisobutylene.

4. (Previously Presented) Application system according to claim 1, characterised in that a substantial amount of the crystals of the ALA derivative have a mean diameter of 30  $\mu\text{m}$  to 190  $\mu\text{m}$ .

**RESPONSE TO RESTRICTION REQUIREMENT**

5. (Previously Presented) Application system according to claim 4, characterised in that a substantial amount of the crystals of the ALA derivative have a mean diameter of 90  $\mu\text{m}$  to 160  $\mu\text{m}$ .

6. (Previously Presented) Application system according to claim 1, characterised in that the aminolaevulinic acid derivative is present in a concentration of 1 to 50 wt. % relative to the polymer matrix.

7. (Previously Presented) Application system according to claim 4, characterised in that the polymer matrix consists of Eudragit® NE (NE) (ethyl acrylate-methyl methacrylate-copolymerisate) and acetyl tributyl citrate (ATBC) in the weight ratio NE/ATBC of 1:0.5 to 1:2.5, wherein the aminolaevulinic acid derivative is present in a concentration of 1 to 50 wt. % relative to the polymer matrix.

8. (Canceled)

9. (Previously Presented) Application system according to claim 1, characterised in that it releases at least 30% of the ALA derivative within 30 minutes.

10-12. (Canceled)

13. (Currently Amended) Application system according to claim 1 ~~claim 10~~, characterised in that the alkyl group has 1 to 10 carbon atoms.

14. (Previously Presented) A dermal application system, which is a self-adhesive matrix system, consisting of aminolaevulinic acid (ALA) derivative crystals suspended in a polymer matrix, wherein the ALA derivative is an aminolaevulinic acid salt or an aminolaevulinic acid ester or a salt thereof, wherein a substantial amount of the crystals of the ALA derivative have a mean diameter of 20  $\mu\text{m}$  to 200  $\mu\text{m}$ , wherein the ALA derivative is 5-amino levulinic acid methyl ester, 5-amino levulinic acid ethyl ester, 5-amino levulinic acid propyl ester, 5-amino levulinic acid butyl ester, 5-amino levulinic acid pentyl ester, 5-amino levulinic acid hexyl ester, 5-amino levulinic acid heptyl ester, 5-amino levulinic acid octyl ester, or a pharmaceutically acceptable salt thereof.

15-22. (Canceled)